

FISCAL NOTE

SB 1735 – HB 1823

March 28, 2007

SUMMARY OF BILL: Creates the “Tennessee Student Health Act” which requires LEAs to establish student health advisory councils by January 31, 2008 who will develop and implement physical education programs; requires students in grades K-8 to participate in physical education or physical activity; requires the State Board of Education to create physical education academic content standards and the LEAs to offer instruction meeting those standards; requires students with disabilities to have an adapted physical education curriculum; requires the councils to monitor schools' compliance; requires each school to have a licensed physical educator to oversee the program; and requires K-8 physical education teachers to regularly participate in professional development activities.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures* – Exceeds \$6,000,000

Assumptions:

- Academic content standards and a program of instruction for Physical Education have currently been established.
- The creation of a Physical Education Specialist to oversee and provide coordination of the program has already been established within the Department of Education.
- Cost to provide 150 minutes of physical activity per week for K-5 students is estimated to be not significant since this does not require a physical education instructor.
- Cost to provide 225 minutes of physical education per week for students in grades 6-8 is estimated to be approximately \$3,000,000. According to the Department of Education at least 32 new physical education teachers would be required at an average instructional cost of \$45,000 plus benefits.
- In addition, some elementary schools would need additional indoor space to accommodate the higher PE requirements. Depending on the school, there could be a significant local cost to enlarge facilities. Such cost to local governments is estimated to exceed \$1,000,000 statewide.
- Additional PE equipment may be needed by some schools, depending upon their current inventory. The cost of such

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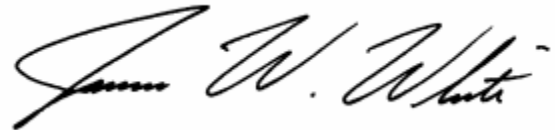
equipment would be a local cost and would vary greatly from district to district. Such cost to local governments is estimated to exceed \$1,000,000 statewide.

- The cost to LEAs to maintain facilities and equipment is estimated to exceed \$1,000,000 statewide.
- The cost of any professional development would be at local expense.
- Assumes there would be no fiscal impact from establishing student health advisory councils since members would volunteer their time. Advisory councils are required by the Federal Wellness Act and the Physical Activity policy which becomes effective in the 2006-07 school year.
- Assumes the cost of LEAs monitoring schools' physical education curricula could be absorbed in current budgets as a part of existing monitoring activities.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director